

The Honorable David G. Estudillo

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

INTERNATIONAL PARTNERS FOR  
ETHICAL CARE, INC., et al.,

Plaintiffs,

v.

JAY INSLEE, Governor of Washington,  
et al.,

Defendants.

NO. 3:23-cv-05736-DGE

DECLARATION OF  
CRISTINA SEPE IN SUPPORT  
OF DEFENDANTS' MOTION TO  
DISMISS PLAINTIFFS' FIRST  
AMENDED COMPLAINT

I, CRISTINA SEPE, hereby declare the following:

1. I am a Deputy Solicitor General with the Washington State Attorney General's Office, representing Defendants Jay Inslee, in his official capacity as the Governor of the State of Washington, Robert Ferguson, in his official capacity as the Attorney General of the State of Washington, and Ross Hunter, in his official capacity as the Secretary of the Washington Department of Children, Youth, and Families in this matter, and make this declaration in that capacity. I am over the age of 18 and competent to testify as to the matters herein.

2. I am submitting this declaration in support of the Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint. When ruling on a motion to dismiss, "courts must consider the complaint in its entirety, as well as other sources . . . , in particular, documents incorporated into the complaint by reference, and matters of which a court may take judicial notice." *Tellabs*,

1 *Inc. v. Makor Issues & Rts., Ltd.*, 551 U.S. 308, 322 (2007). The exhibits provided herein are  
 2 documents incorporated by reference in the First Amended Complaint or government materials  
 3 of which the Court may take judicial notice. These materials are publicly available online and  
 4 are provided for the convenience of the Court and parties.

5 3. Attached as Exhibit A is a true and correct copy of Engrossed Substitute  
 6 Senate Bill 5599, 68th Leg., Reg. Sess. (Wash. 2023), *enacted as* 2023 Wash. Sess. Laws,  
 7 ch. 408, effective date July 23, 2023, [https://lawfilesext.leg.wa.gov/biennium/2023-](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/Senate/5599-S.SL.pdf?q=20231004125511)  
 8 [24/Pdf/Bills/Session%20Laws/Senate/5599-S.SL.pdf?q=20231004125511](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/Senate/5599-S.SL.pdf?q=20231004125511).

9 4. Attached as Exhibit B is a true and correct copy of Senate Bill Report  
 10 on Engrossed Substitute S.B. 5599, 68th Leg., Reg. Sess. (Wash. 2023),  
 11 [https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/Senate/5599-](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/Senate/5599-S.E%20SBR%20HA%2023.pdf?q=20231004125511)  
 12 [S.E%20SBR%20HA%2023.pdf?q=20231004125511](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/Senate/5599-S.E%20SBR%20HA%2023.pdf?q=20231004125511).

13 5. Attached as Exhibit C is a true and correct copy of House Bill Report  
 14 on Engrossed Substitute S.B. 5599, 68th Leg., Reg. Sess. (Wash. 2023),  
 15 [https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/House/5599-](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/House/5599-S.E%20HBR%20APH%2023.pdf?q=20231004125511)  
 16 [S.E%20HBR%20APH%2023.pdf?q=20231004125511](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/House/5599-S.E%20HBR%20APH%2023.pdf?q=20231004125511).

17 6. Attached as Exhibit D is a true and correct copy of Substitute House  
 18 Bill 1406, 68th Leg., Reg. Sess. (Wash. 2023), *enacted as* 2023 Wash. Sess. Laws,  
 19 ch. 151, effective date July 23, 2023, [https://lawfilesext.leg.wa.gov/biennium/2023-](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1406-S.SL.pdf?q=20231210102346)  
 20 [24/Pdf/Bills/Session%20Laws/House/1406-S.SL.pdf?q=20231210102346](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1406-S.SL.pdf?q=20231210102346).

21 7. Attached as Exhibit E is a true and correct copy of House Bill Report on Substitute  
 22 H.B. 1406, 68th Leg., Reg. Sess. (Wash. 2023), [https://lawfilesext.leg.wa.gov/biennium/2023-](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/House/1406-S%20HBR%20PL%2023.pdf?q=20231210102611)  
 23 [24/Pdf/Bill%20Reports/House/1406-S%20HBR%20PL%2023.pdf?q=20231210102611](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/House/1406-S%20HBR%20PL%2023.pdf?q=20231210102611).

24 8. Attached as Exhibit F is a true and correct copy of Senate Bill Report on Substitute  
 25 H.B. 1406, 68th Leg., Reg. Sess. (Wash. 2023), [https://lawfilesext.leg.wa.gov/biennium/2023-](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/Senate/1406-S%20SBR%20APS%2023.pdf?q=20231210102611)  
 26 [24/Pdf/Bill%20Reports/Senate/1406-S%20SBR%20APS%2023.pdf?q=20231210102611](https://lawfilesext.leg.wa.gov/biennium/2023-24/Pdf/Bill%20Reports/Senate/1406-S%20SBR%20APS%2023.pdf?q=20231210102611).

9. Attached as Exhibit G is a true and correct copy of Memorandum from Natalie Green, Assistant Secretary, and Steve Grilli, Assistant Secretary of Partnership, Prevention, and Services, to Child Welfare Employees, *Changes to 3100. Family Reconciliation Services Policy* (July 21, 2023), <https://www.dcyf.wa.gov/sites/default/files/pdf/cw-policy/Memo-FRS-7-20-23%20Final.pdf>. Plaintiffs' First Amended Complaint references this Policy Memo at Dkt. #34 ¶¶ 68, 93–95.

10. Attached as Exhibit H is a true and correct copy of the Department of Children, Youth, and Families Policy and Procedure 3100. Family Reconciliation Services, <https://www.dcyf.wa.gov/policies-and-procedures/3100-family-reconciliation-services>. The Policy Memo at Exhibit G links to Policy 3100 and discusses the changes made to Policy 3100.

I declare under the penalty of perjury under the laws of the United States of America and the State of Washington that the foregoing statement is true and correct.

SIGNED this 15th day of December 2023, at Tacoma, Washington.

*s/ Cristina Sepe*  
 CRISTINA SEPE, WSBA 53609  
*Deputy Solicitor General*  
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 Olympia, WA 98504-0100  
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**CERTIFICATE OF SERVICE**

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System, which will serve a copy of this document upon all counsel of record.

DATED this 15th day of December, 2023, at Olympia, Washington.

*s/ Leena Vanderwood*  
Leena Vanderwood  
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